

This is the testimony of Joan Roberts of 11031 Hwy. M-28 Watton Michigan, in the Upper Peninsula, transcribed on Feb. 15, 2014 regarding Public Health bills SB 575-578. I am supporting these bills for the following reasons:

Our daughter, Kristi Marie Roberts, (now 22 years old) has been a victim of gross mental health and adult vulnerability abuse for over 4 years. We are able to show that what has taken place is not only a civil matter, but a criminal matter as well. We hold the documents to support our claims. We would like legislators and law enforcement to hold the license board accountable for their [in]actions.

Oct. 2009: We filed a complaint with the Bureau of Health Professions against a Licensed Pastoral Counselor (LPC), for mental health abuse of Kristi, then 17 years old. An investigator was assigned the case; however, due to Kristi having turned 18 during the interim of counseling, the investigator erroneously stated that she could not get session notes. Mr. Ray Garza, division director of investigations refutes this.

The BHP investigator did not request related MSP reports to prove our allegations against the LPC (as confirmed via MSP FOIA report). We requested a sexual assault exam for Kristi but her age prevented us from proving our allegations of implanted 'memories' and confirming that Kristi was a virgin. The counselor falsely accused my husband in her office at a pre-established (by the LPC) "group counseling" session before Kristi turned 18 and did not report the allegations to the authorities thereby violating Michigan mandatory reporting laws.

From 2009-2012, I conducted my own investigation and hired private investigators, filing criminal complaints to the city police as Kristi was being more victimized by mental health. I re-filed a complaint with new evidence requesting that BHP/allegations re-open the original complaint against the LPC in addition to investigating the other licensees who I also filed formal complaints against. The 2012 requests were all rejected. I received a board review letter which stated that I was revisiting a "thoroughly investigated" complaint. In 2009 the BHP investigator could not have investigated "thoroughly" as misstated in the board reviewer, as all the evidence was not only new but was "significant", refuting the board reviewers 'findings'. There was no evidence in 2009; therefore, everything I sent to re-open the case in 2012 was "significant" and new and also applicable to the additional complaints.

Armed with the evidence, I filed a malpractice suit in 2011 against the LPC. After hiring private investigators, meeting with Adult Protective Services and in donning a 'Nancy Drew' hat I filed more criminal complaints with the city and state police. They were repeatedly refused subpoenas for the session notes that I requested in 2009 via the BHP investigator. Linda Travis gave the city police disinformation on obtaining session notes.

Feb. 2012 I emailed Mary Hess from BHP; she forwarded my email to Ray Garza. During our 2 hour phone discussion regarding violations I wanted to cite, he advised I request the aforementioned complaint, send it to Mike Wissel, along with complaints against the other licensees. Those complaints with the new exhibits weighed 8 pounds and cost \$100.00 to send overnight express. Due to excessive mental health abuse, our daughter had begun receiving SSI, could no longer work, could not perform in the youth symphony orchestra and had not only sent

typed hate- letters to family (that we do not believe she actually wrote), but disowned relatives and friends and changed her last name to that of her current 'captors'. According to her pastor (in emails to us) we were "interfering with her restoration" by attending some church services and sending her gifts. He not only barred us from his church but sent us a letter stating that we could not bring our special needs daughter to his church property for piano recitals put on by the Michigan Music Teachers Association of which her piano teacher belongs. His church and board, made up of "important men", (unfortunately), were proponents of repressed memory therapy which his pianist promoted through a book on satanic ritual abuse.

March 2012, I contacted Mike Wissel concerning the rejections; he accused me of obtaining the evidence/exhibits in the complaints, illegally. His statement was unfounded, but I proved all of my allegations. He told me that the chair board was not authorizing an investigation because I did not have enough evidence. I inquired of the superior of the chair board; he mocked me, stating that it was the governor. He said, "So you think you're going to go to the governor?" When I affirmed, he replied, "Are you threatening me?" I thought this odd. He had just told me who the boss was. Am I to believe that these people are untouchable? He further stated that these chair board personnel lobbied for the governor, alluding to a 'stonewall'.

My evidence came through private investigations, MSP FOIA reports, court documents and other discovery facts. I included a DVD of our daughter doing various physical activities refuting her need for physical therapy (for "body memories" of (pseudo) pain resulting from trumped up childhood beatings), and letters from previous employers stating that she was extremely strong and a very hard worker. There was a doctor's letter and a testimony from a friend whom Kristi had called, asking if she could be making up the 'memories'. It took our time, our thousands and thousands of dollars (which we had to borrow), and our malpractice suit, to expose the abuse and fraud that BHP should have found in 2009. We were able to show criminal intent; however, all complaints and their content were ignored. We were never charged with any allegations, but mental health 'treatment' for Kristi, is still being paid for by the state. Our daughter became a 'feed trough' and would eventually become a pawn to protect the insurance company. I was stonewalled at the allegations' department and by the chair board.

Dec. 2012: I filed criminal complaints via the state police for adult vulnerability abuse against the LPC and the older couple our daughter lives with. They are members of the Baptist church that took part in the 'witch hunt' based on the scam of 'repressed memories'. They isolated our daughter from family members, following the sordid pattern of recovered memory therapy (RMT). One private investigator likened our daughter to "Elizabeth Smart".

June 2013: I contacted Ray Garza with increasing evidence of mental tormenting. I had evidence of a conspired effort to purposely block the (May 2012) deposition of our daughter (who was our star witness against the LPC), thereby protecting the guilty licensees who wrote letters stating that our daughter would be too "psychologically traumatized" to answer questions. I pushed getting the 2009 session notes with a letter to the LPC; I received what the police affirm to be suspect [un] 'authentic' records. Garza advised I file another complaint and send it to allegations. I contacted Linda Travis who gave me considerable disinformation regarding evidence that she stated as being unacceptable in complaints.

She was obviously annoyed, stating rejection of my complaint if I included any evidence that was acquired through my civil suit(s). She further stated that there were no regulations for record keeping by mental health and that LARA did not get involved with civil suits. In the city police report (2011) Travis stated that LARA did not get involved in criminal complaints. What system is in place to ensure a true investigation, which I can show was not done in 2009/10? If LARA does not deal with criminal or civil matters, then what else is there? And if BHP cannot obtain records, then where is the accountability factor of mental health licensees, and who are they accountable to?

Oct. 3, 2013: I called Mr. Garza, explaining my reluctance in sending the June 2013 complaint. He advised I send the complaint (citing Linda Travis's disinformation), to Joe Campbell, Enforcement Division Director. Even though I had new documented evidence, the investigation could not move forward without chair board approval. Over the course of 4 years I have filed 6 complaints against 5 different licensed professionals (one having a past history of probation and suspension of his license). All complaints (except 2009) were not authorized investigations.

On Oct. 10, 2013 I filed the complaint against Linda Travis and the LPC, included an in depth list of violations in 13 pages with 55 exhibits, pictures of our daughter, and applicable excerpts from her Aug. 28, 2013 deposition. This was sent to Mr. Campbell marked "Confidential". External exhibits included DVD's and CD's depicting the happy person Kristi was (pre-counselor abuse) interacting with her family, and playing piano at recitals. Today she has no contact with us. We lost our daughter; she lost her promising life because the investigators cannot investigate without authorization of one board reviewer.

Oct. 30, 2013: The package never made it to Joe Campbell, according to him. It was later found in allegations with the evidence against Linda Travis extracted. Only through my persistence did I discover this and then faxed the entire 80-plus page complaint to Mr. Campbell. He later informed me that he was sending the complaint to a board reviewer (if I understood this correctly). The board reviewer wanted at least 2 months to read the complaint, though the majority of the evidence has been in allegations for 2 years. It was only after I contacted State Representative Scott Dianda, and followed up with another call to Ray Garza, did I hear from Mr. Garza. He related that we would be receiving a letter from allegations.

The letter requested copies of our daughter's deposition and the LPC's affidavit of meritorious defense. Allegations had the AOMD for 2 years. If they need another copy, I entered a fee of \$50.00 an hour to our attorney's calculated expense document regarding all the non-stop years of hours upon hours of work I have put into this case. Had allegations and the investigator done their job in 2009, I dare say that we would not be "revisiting" this [un]"thoroughly investigated" case wrought with extensive evidence of obstruction of justice on the part of the license board.

The allegations department and the chair board have worked effectively and successfully to block all hope to free our vulnerable daughter from this gross malpractice. She went from being a happy, hardworking teen, accomplished in music, and physically active, to being a government dependent complete with multiple medications and physical therapy for "psychological trauma" and "pain" which she did not have before counseling. Our daughter is entrapped in part because

the investigators cannot move forward without prior review of complaints by the allegations department at the sole discretion of one board reviewer.

I found all the evidence, all at our expense. I do not work as an investigator for the state. I can assume that they are not only buying time but that they shredded the evidence. Allegations gave me 2 weeks to send the requested evidence when I gave them 4 years plus 4 months to take action? They are obstructing justice and they know it.

An article I wrote to Michigan Watchdog Wire exposing the fraud and obstruction of justice via the license board has been approved for publication. (Unless the legislators or the governor advises otherwise) I am giving the license board 1 week to revoke the license of the LPC. If they do not take action and help me free our daughter I am going to take my story, (with all my new evidence) to all media outlets. I have done 3 radio programs and 1 ABC local news talk show. We know we are not the only victims. Surely the license board has the ability to send an investigator and retrieve the original file from 2009 which will either prove my allegations or at the very least prove that the LPC has altered or destroyed the original files. Her defense attorney has already admitted to the state police that she has the session notes.

We paid tens of thousands of dollars in attorney fees and court cost, private investigations, and extensive hours, weeks, months, and years, of work on my part, to gain our evidence and submit same to the license board, and the best they can do is accuse me of obtaining my evidence illegally? And now they want me to supply them with the expensive depositions of which I paid dearly for and had to absorb the expense of via filing civil suits? Excerpts of pertinent parts of those deposition pages were summarized and sent to the license board in Oct. 2013.

I had to pay to fly our attorney up here 3 times because of the screw-ups within allegations. Our daughter is still being mentally and emotionally abused, and the license board gives me 2 weeks to provide evidence that they already have? Furthermore, I was told by Mr. Garza, that even if they decide to authorize an investigation that the results will be sent back to the license board for more reviews, and that this could take months with no guarantees. I believe our daughter and our family has suffered long enough, as have other families victimized by mental health abuse identical to that of our daughter, as proven in the recently exposed (2003) petition of which you have been made aware by Joanne Dayton of Northville, Michigan. Had the 2012 complaint been acted upon instead of covered up, I dare say we would not be where we are today.

Since our nightmare began I have been able to show evidence of perjury and possible conspiracy, in addition to multiple violations of numerous ethics codes by the original counselor (who committed perjury on her auto-bio-AOMD), and those who followed 'suit' milking the same 'disability' cow. They took advantage of our vulnerable daughter at our daughter's, and at our, emotional and mental health expense. Furthermore, our case has involved local and state police investigations that should have been assigned to a Bureau of Health Profession's investigator, especially with the new evidence in 2012.

We see no end in sight to the licensee abuse of power, and the subsequent protection of illicit counselors unless these bills are passed. Unfortunately, as it stands now our case still hinges on

the self interest of the chair, not with investigations. It's the investigators who are trained to determine unethical or criminal violations. Given our evidence, the proposed bills should be deemed a necessity to the future health, safety, and welfare of the public, which is what the existing Public Health Code Act was supposed to protect.

All the lawsuits in the world will not bring our daughter's health back; she is changed for life; our reputation is ruined forever. There is no accountability in mental health; the HIPAA shield is not protecting the patient, it is allowing for abuse of same with no challenge coming from LARA. Those in allegations have covered up fraud and mental health abuse, plain and simple. Persons who are afraid to discipline their peers have no business in these appointed positions.

Cases such as ours have proven over and over again, not just in our state, but around the world, to be the cause of suicides and destroyed lives. How many more have to die before someone stands up for what is right and just? **The passing of these bills (and more need to come) will give the investigators a chance to stop the abuse of vulnerable persons and curtail the fraud of state and government funds. Mental health practitioners who fail to meet the standard of care, and commit crimes while in practice, have no right to be licensed; when their licenses are not revoked, then the accountability moves to the license board as violating their own code of ethics relative to their Public Health Code.**

Unfortunately, as it stands now, none of you hearing this today are immune from the same horrific allegations that we have suffered. Ask Congressman Dale Kildee. When one sub-group of a sub-group in the medical field has no one to be accountable to, then we can all be assured that our number could be next.

As psychologist, Dr. Paul Simpson suggests in his book, Second Thoughts (exposing the fallacy of repressed memory therapy and Dissociative Identity Disorder), (paraphrased), look in the mirror, and ask yourself what your defense will be, if in 5, 10, 20, 30 years from now, your daughter, your grandchildren, any person at all, goes to a counselor who has no accountability, and makes false allegations against you. Once the proverbial HIPAA -Shield door is closed, and considering the unwillingness of any states license boards to address the 'special privileges' currently bestowed upon mental health, then, whatever in the world will you do? We were threatened with life in prison; some are still in prison because of a witch hunt akin to the Salem Witch Hunts.

I believe the governor needs to step in and look closely at our case and my huge file of evidence and research on the topic of recovered memories. I will avail myself for testimony and depositions. I have nothing to lose and we (possibly) have a daughter to gain.

Thank you, Joan Roberts